

JUN 18 2024

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

US DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA)	DOCKET NO. 1:24-cr-45-MR-WCM
)	
)	
)	<u>BILL OF INDICTMENT</u>
v.)	
)	Violations:
)	18 U.S.C. § 922(a)(6)
)	18 U.S.C. § 922(g)
(1) DESMORIA DEORIA ALLISON)	18 U.S.C. § 932
(2) MUSTAFA DAJRON HOWIE)	
(3) KINYONA JENAE MCCLAIN)	
_____)	

THE GRAND JURY CHARGES:

COUNT ONE

(False Statement During Purchase of a Firearm)

On or about March 13, 2023, in Cleveland County, within the Western District of North Carolina, the defendant,

(1) DESMORIA DEORIA ALLISON,

in connection with the acquisition of a firearm, a Glock, model 29, 10mm semiautomatic pistol, from American Tactical & Pawn, Inc, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to American Tactical & Pawn, Inc, which statement was intended and likely to deceive American Tactical & Pawn, Inc as to a fact material to the lawfulness of such sale of the said firearm to the defendant under chapter 44 of Title 18, in that the defendant did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, in that the defendant represented that she was the actual transferee/buyer of the firearm indicated on the Form 4473, when in fact, as the defendant then knew, she was not the actual transferee/buyer of the firearm; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT TWO

(False Statement During Purchase of a Firearm)

On or about March 22, 2023, in Cleveland County, within the Western District of North Carolina, the defendant,

(1) DESMORIA DEORIA ALLISON,

in connection with the acquisition of a firearm, a Ruger, model EC9S, 9mm semiautomatic pistol, from Cash Pro Pawn, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to Cash Pro Pawn which statement was intended and likely to deceive Cash Pro Pawn, as to a fact material to the lawfulness of such sale of the said firearm to the defendant under chapter 44 of Title 18, in that the defendant did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, in that the defendant represented that she was the actual transferee/buyer of the firearm indicated on the Form 4473, when in fact, as the defendant then knew, she was not the actual transferee/buyer of the firearm; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT THREE

(Possession of a Firearm by a Felon)

On or about May 10, 2023, in Mecklenburg County, within the Western District of North Carolina, the defendant,

(2) MUSTAFA DAJRON HOWIE,

knowing that he had previously been convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, that is, a Glock, model 29, 10mm semiautomatic pistol, in and affecting commerce, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT FOUR

(False Statement During Purchase of a Firearm)

On or about October 5, 2023, in Cleveland County, within the Western District of North Carolina, the defendant,

(3) KINYONA JENAE MCCLAIN,

in connection with the acquisition of a firearm, a Glock, model 31, .357 caliber semiautomatic pistol, from American Tactical & Pawn, Inc, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to American Tactical & Pawn, Inc, which statement was intended and likely to deceive American Tactical & Pawn, Inc, as to a fact material to the lawfulness of such sale of the said firearm to the defendant under chapter 44 of Title 18, in that the defendant did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, in that the defendant represented that she was the actual transferee/buyer of the firearm indicated on the Form 4473, when in fact, as the defendant then knew, she was not the actual transferee/buyer of the firearm; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT FIVE

(Straw Purchase of a Firearm)

On or about October 5, 2023, in Cleveland County, within the Western District of North Carolina, the defendant,

(3) KINYONA JENAE MCCLAIN,

did knowingly purchase a firearm, to wit: a Glock, model 31, .357 caliber semiautomatic pistol, in or otherwise affecting interstate or foreign commerce for, on behalf of, or at the request or demand of MUSTAFA DAJRON HOWIE, knowing or having reasonable cause to believe that MUSTAFA DAJRON HOWIE had previously been convicted, in any court, of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Section 932(b)(1).

COUNT SIX

(Possession of a Firearm by a Felon)

From on or about October 5, 2023, and continuing through on or about February 28, 2024, in Cleveland County, within the Western District of North Carolina and elsewhere, the defendant,

(2) MUSTAFA DAJRON HOWIE,

knowing that he had previously been convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, that is, a Glock, model 31, .357 caliber semiautomatic pistol, in and affecting commerce, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT SEVEN

(Straw Purchase of a Firearm)

On or about February 28, 2024, in Cleveland County, within the Western District of North Carolina, the defendant,

(3) KINYONA JENAE MCCLAIN,

did knowingly purchase a firearm, to wit: a Glock, model 32, .357 caliber semiautomatic pistol, in or otherwise affecting interstate or foreign commerce for, on behalf of, or at the request or demand of MUSTAFA DAJRON HOWIE, knowing or having reasonable cause to believe that MUSTAFA DAJRON HOWIE had previously been convicted, in any court, of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Section 932(b)(1).

NOTICE OF FORFEITURE AND FINDING OF PROBABLE CAUSE

Notice is hereby given of the provisions of 18 U.S.C. § 924(d) and the statutes incorporated or referred to therein. The firearms and ammunition listed below are subject to forfeiture in accordance with § 924(d): all firearms and ammunition involved in, used, or intended to be used in the violations alleged in this bill of indictment. The Grand Jury finds probable cause to believe that the following property subject to forfeiture on the grounds stated above:

- (a) The following property seized on or about May 10, 2023: a Glock, model 29, 10mm semiautomatic pistol, bearing serial number BXHT612 and a Ruger, model EC9S, 9mm semiautomatic pistol bearing serial number 462-74832;
- (b) The following property seized on February 28, 2024: a Glock, model 31, .357 caliber semiautomatic pistol, magazine, and ammunition and a Glock, model 32, .357 caliber semiautomatic pistol, magazine, and ammunition seized on or about February 28, 2024.

A TRUE BILL

FOREPERSON

DENA J. KING
UNITED STATES ATTORNEY



SHAVONN N. BENNETTE
ASSISTANT UNITED STATES ATTORNEY